

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
WESTERN DIVISION

LOUD RECORDS, LLC, a Delaware corporation; UMG RECORDINGS, INC., a Delaware corporation; SONY MUSIC ENTERTAINMENT INC., a Delaware corporation; ELEKTRA ENTERTAINMENT GROUP INC., a Delaware corporation; and INTERSCOPE RECORDS, a California general partnership,)	CIVIL ACTION No. 04-30136-MAP
)	
)	
)	The Hon. Michael A. Ponsor
)	
)	
Plaintiffs,)	
)	
v.)	
)	
LEE THURSTON,)	
)	
Defendant.)	

[PROPOSED] DEFAULT JUDGMENT AND PERMANENT INJUNCTION

Defendant, Lee Thurston ("Defendant"), having failed to plead or otherwise defend in this action and its default having been entered,

Now, upon application of Plaintiffs and declaration in support thereof, it is hereby ORDERED, ADJUDGED, AND DECREED that:

1. Defendant shall pay damages to Plaintiffs for infringement of Plaintiffs' copyrights in the sound recordings listed in Exhibit A to the Complaint, in the total principal sum of Six Thousand Seven Hundred and Fifty Dollars (\$6,750.00).

2. Defendant shall pay Plaintiffs' costs of suit herein in the amount of One Hundred Ninety Six Dollars and Eighty Two Cents (\$196.82).

3. Defendant shall be and hereby is enjoined from directly or indirectly infringing Plaintiffs' rights under federal or state law in the following copyrighted sound recordings:

- "Farmhouse," on album "Farmhouse," by artist "Phish" (SR# 281-388);
- "Smells Like Teen Spirit," on album "Nevermind," by artist "Nirvana" (SR# 135-335);
- "Wish You Were Here," on album "Morning View," by artist "Incubus" (SR# 306-181);
- "Da Joint," on album "Back In Business," by artist "EPMD" (SR# 242-277);
- "I Knew I Loved You," on album "Affirmation," by artist "Savage Garden" (SR# 276-120);
- "Quiet Storm Remix," on album "Murda Muzik," by artist "Mobb Deep" (SR# 293-229);
- "Bring Your Whole Crew," on album "Flesh of My Flesh, Blood Of My Blood," by artist "DMX" (SR# 188-987);
- "What's Your Fantasy," on album "Back For the First Time," by artist "Ludacris" (SR# 289-433);
- "Remember Me?," on album "The Marshall Mathers LP," by artist "Eminem" (SR# 287-944);

and in any other sound recording, whether now in existence or later created, that is owned or controlled by the Plaintiffs (or any parent, subsidiary, or affiliate record label of Plaintiffs) ("Plaintiffs' Recordings"), including without limitation by using the Internet or any online media distribution system to reproduce (i.e., download) any of Plaintiffs' Recordings, to distribute (i.e.,

upload) any of Plaintiffs' Recordings, or to make any of Plaintiffs' Recordings available for distribution to the public, except pursuant to a lawful license or with the express authority of Plaintiffs. Defendant also shall destroy all copies of Plaintiffs' Recordings that Defendant has downloaded onto any computer hard drive or server without Plaintiffs' authorization and shall destroy all copies of those downloaded recordings transferred onto any physical medium or device in Defendant's possession, custody, or control.

DATED: _____

By: _____
Hon. Michael A. Ponsor
United States District Judge